

PTO/SB/30 (04-05)

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/705,342
Filing Date	November 10, 2003
First Named Inventor	Minges, Marcus C.
Art Unit	3617
Examiner Name	Jules, F.
Attorney Docket Number	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **(Submission required under 37 CFR 1.114)** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on JUL 05 2005

ii. Other _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other Terminal Disclaimer

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-0954. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	<u>7/5/05</u>
Name (Print/Type)	Nathan W. Johnson	Registration No.	44,173

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print/Type)	Nathan W. Johnson

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

App. Ser. No.:	10/705,342
Filing Date:	Nov 10, 2003
Inventor:	Minges, Marcus C.
Title:	Rail Mounted Traversing Transport
Examiner:	Jules, F.
Art Unit:	3617

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Submission Accompanying RCE RECEIVED

JUL 06 2005

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

OFFICE OF PETITIONS

REQUEST FOR CONTINUED EXAMINATION: The Applicant hereby respectfully requests continued examination of Application Serial Number 10/705,342. In connection with this request, Applicant submits as its Submission under 37 C.F.R. 1.114(c) the Amendment and argument attached hereto, including a Terminal Disclaimer. Reconsideration and continued examination in light of this submission is respectfully requested.

EXTENSION REQUEST: No extensions are believed necessary. To the extent any extension is necessary, it is hereby requested, and this paper shall be considered a petition for such extension.

RCE CONDITIONS SATISFIED: This RCE and Submission satisfy all requirements:

- a. Prosecution is closed (37 C.F.R. 1.114(a)), because the application has been allowed (and the issue fee has been paid – this paper is accompanied by a petition to withdraw the application from issue).
- b. Applicant requests continued examination (37 C.F.R. 1.114(a)), by virtue of the RCE Cover Sheet attached hereto and the above request.
- c. The Fee set forth in 37 C.F.R. 1.17(e) is included herewith by means of a credit card authorization and an authorization to charge deposit account
- d. This filing is made prior to the abandonment of the application. The issue fee has been paid, but this paper is accompanied by a petition to withdraw the application from issue.

PROPER SUBMISSION: This Submission is an amendment, including an amendment to the Abstract and to paragraph [0038] and the inclusion of a terminal disclaimer. This is believed to satisfy the submission requirement. MPEP 706.07(h)(II).

Respectfully submitted,

7-5-05
DATE Signed

Nathan W. Johnson
Reg. No. 44173
205-521-8369